

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

| | | |
|-----------------------|---|-------------------|
| LISA MINTON, |) | |
| |) | |
| PLAINTIFF, |) | |
| |) | CIVIL ACTION NO. |
| v. |) | 1:05-CV-878-C |
| |) | |
| CULLIGAN WATER, INC., |) | JURY TRIAL DEMAND |
| |) | |
| DEFENDANT. |) | |

REPORT OF THE PARTIES' PLANNING CONFERENCE

1. Appearances. Pursuant to Rule 26(f) of the Fed.R.Civ.P., a conference was held on November 15, 2005, between the following:

Attorneys for Plaintiff

C. Michael Quinn

Joshua D. Wilson

Wiggins, Childs, Quinn & Pantazis, LLC

The Kress Building

301 19th Street North

Birmingham, Alabama 35203; and

Attorneys for Trumbull Bottled Water, Inc.¹

Charles K. Hamilton
Bainbridge, Mims, Rogers & Smith, LLP
The Luckie Building – Suite 415
600 Luckie Drive
Birmingham, Alabama 35223

2. **Pre-Discovery Disclosures.** The parties will exchange by **December 16, 2005**, the information required by Local Rule 26.1(a)(1).

3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

a. Discovery will be needed on the following subjects:

1. All information pertaining to plaintiff's claims and damages;
2. All information pertaining to the defendant's answer; and
3. All information pertaining to the defendant's defenses.

b. All discovery must be commenced in time to be completed by **May 1, 2006**.

c. There will be a maximum of **25** interrogatories by each party to any other party. The responses will be due **30** days after service.

¹Trumbull Bottled Water, Inc. is not a named defendant, but was served with the Summons and Complaint directed to the defendant designated "Culligan Water, Inc." Trumbull Bottled Water, Inc. does business in Dothan, Alabama as Culligan of the Wiregrass. Trumbull is not aware of any entity named "Culligan Water, Inc."

d. There will be a maximum of 25 requests for production of documents by each party to any other party. The responses will be due 30 days after service.

e. There will be a maximum of 25 requests for admission by each party to any other party. The responses will be due 30 days after service.

f. The parties agree that no more than 6 depositions may be taken by a party without leave of court or agreement of the parties.

g. Each deposition (other than of plaintiff and the defendant's designated representative) shall be limited to a maximum of 4 hours unless extended by agreement of the parties. Party depositions shall be limited to a maximum of 8 hours unless extended by agreement of the parties.

h. Reports from retained experts under Rule 26(a)(2) will be due from the plaintiff by **February 3, 2006** and from the defendants by **March 3, 2006**.

i. Supplementation of the core disclosures under Rule 26(e) should be made within thirty days of a party learning of discoverable evidence, with final supplementation occurring on will be by **June 1, 2006**.

4. **Other Items**

a. **Scheduling Conference:** The parties do not request a conference with the court before entry of the scheduling order.

b. **Additional Parties, Claims and Defenses:** Plaintiff must join additional parties and amend the pleadings by **March 3, 2006**. The defendant will have until **April 3, 2006**, to join additional parties or defenses.

c. **Dispositive Motions:** All potentially dispositive motions must be filed by **March 31, 2006**.

d. **Settlement:** Settlement and the possibility for mediation cannot be evaluated until some discovery is completed.

e. **Pretrial Conference:** A pretrial conference is requested in June 2006.

f. **Trial Evidence:** The final list of witnesses and trial evidence under Rule 26(a)(3) should be due **30** days before trial. The parties should have **10** days after service of the final lists of trial evidence to list objections under Rule 26(a)(3).

g. **Trial Date:** This case will be ready for trial on **July 31, 2006**, and is expected to take approximately **3** days of trial time.

Respectfully submitted this the **15th day of November, 2006** with both parties agreeing on the report as set out above and with permission for signing electronically.

/s/ Joshua D. Wilson



Attorneys for Plaintiff

C. Michael Quinn

Joshua D. Wilson

Wiggins, Childs, Quinn &
Pantazis, LLC

The Kress Building

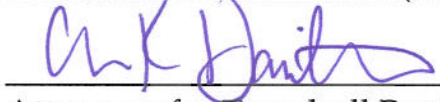
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